

The State of Minnesota
Hennepin County
Hennepin Criminal Downtown

District Court
Fourth Judicial District

Court File Number: 27-CR-21-11252

Case Type: Criminal

State of Minnesota,
Plaintiff

vs.

NICHOLAS DAVID KRAUS,
Defendant
Date of Birth: November 29, 1985
Gender: Male

Sentencing Date: November 28, 2022

Amended Order Warrant of Commitment

CASE CHARGES

Count	Statute	Description	Disposition
1	609.19.2(1)	Murder - 2nd Degree - Without Intent - While Committing a Felony Penalty Statute: 609.19.1 - Murder - 2nd Degree Additional Statute: 609.11.9 - Minimum Sentences of Imprisonment - Applicable Offenses	Convicted
2	609.222.1	Assault-2nd Degree-Dangerous Weapon Penalty Statutes: 609.101.2 - Minimum Fines-Assault, Crim Sex 609.11.4 - Minimum Sentences of Imprisonment-Use Dangerous Weapon 609.222.1 - Assault-2nd Degree-Dangerous Weapon	Convicted
3	609.222.1	Assault-2nd Degree-Dangerous Weapon	Dismissed

TERMS OF DISPOSITION OR SENTENCE: COUNT 1

Offense Description: Murder - 2nd Degree - Without Intent - While Committing a Felony
Offense Date: June 13, 2021
Level of Sentence: Felony

SENTENCE DETAILS: COUNT 1

Commit to Commissioner of Corrections

Ordered on November 23, 2022:

- Report on November 23, 2022.

Commit to Commissioner of Corrections at the MN Correctional Facility - St. Cloud for 240 months.

Credit for time served amount is 529 days.

This sentence consists of a minimum term of imprisonment equal to two-thirds of the total executed sentence, and a maximum supervised release term equal to one-third of the total executed sentence, unless the sentence is life or life without the possibility of release.

Time to Serve: 240 months

- Per 11/28/2022 Amended Order: As of Mr. Kraus' sentencing on 11/23/2022, he should be granted 529 days of jail credit to his sentence on both Counts 1 and 2.

Conditions

The following previously ordered conditions are still in effect:

- Restitution reserved
- Supply DNA sample
- Do not use or possess firearms, ammunition or explosives

Concurrent/Consecutive

- Concurrent with Count 2.

TERMS OF DISPOSITION OR SENTENCE: COUNT 2

Offense Description: Assault-2nd Degree-Dangerous Weapon

Offense Date: June 13, 2021

Level of Sentence: Felony

SENTENCE DETAILS: COUNT 2

Commit to Commissioner of Corrections

Ordered on November 23, 2022:

- Report on November 23, 2022.

Commit to Commissioner of Corrections at the MN Correctional Facility - St. Cloud for 45 months.

Credit for time served amount is 529 days.

This sentence consists of a minimum term of imprisonment equal to two-thirds of the total executed sentence, and a maximum supervised release term equal to one-third of the total executed sentence, unless the sentence is life or life without the possibility of release.

Time to Serve: 45 months

- Per 11/28/2022 Amended Order: As of Mr. Kraus' sentencing on 11/23/2022, he should be granted 529 days of jail credit to his sentence on both Counts 1 and 2.

Conditions

The following previously ordered conditions are still in effect:

- Restitution reserved
- Supply DNA sample
- Do not use or possess firearms, ammunition or explosives

Concurrent/Consecutive

- Concurrent with Count 1.

FINES / FEES: COUNT 2

Fines/Fees	Amount	Adjustment	Amount Due	Due Date
Fine	\$ 50.00	\$ 50.00 (Waived)	\$ 0.00	
Criminal/Traffic Surcharge	\$ 75.00	\$ 75.00 (Waived)	\$ 0.00	
Law Library Fees	\$ 3.00	\$ 3.00 (Waived)	\$ 0.00	
Public Defender Co-Payment	\$ 75.00	\$ 75.00 (Waived)	\$ 0.00	
Subtotal	\$ 203.00	\$ 203.00	\$ 0.00	

This Fee information only relates to Count 2. Any Due Date may be affected by a payment plan.

BRANCH

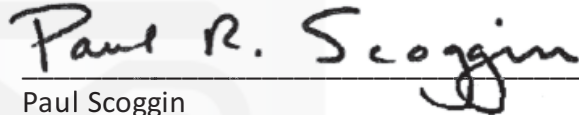
FINANCIAL SUMMARY

Fines/Fees Due: \$ 0.00

The amount due may not reflect all payments and credits, or all restitution owed. Visit <https://mncourts.gov/PayFines> to make a payment or to view updated balances or payment information. Contact court administration with any further questions.

The court may refer the entire amount due on this case for collection if you fail to make any scheduled payment, and collection costs will be added. You have the right to contest a referral for collection based on inability to pay by requesting a hearing no later than the due date. Minn. Stat. § § 480.15, subd. 10c; 609.104.

Date: Nov 28, 2022



Paul R. Scoggin

Paul Scoggin
Judge of District Court



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JUDICIAL
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